

## LABOUR DEPARTMENT

The 12th December, 1984

No. 9/5/84-6Lab/8785.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana, is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s Bee Cee Steel Rolling Mills MIE Bahadurgarh (Rohtak):—

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 133 of 1983

between

SHRI JAI BHAGWAN, WORKMAN AND THE MANAGEMENT OF M/S BEE CEE STEEL ROLLING MILLS MIE BAHADURGARH (ROHTAK).

Present:—

workman in person.

None for the respondent.

## AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute between the workman Shri Jai Bhagwan and the management of M/s Bee Cee Steel Rolling Mills MIE Bahadurgarh (Rohtak), to this Court, for adjudication,—vide Labour Department Gazette Notification No. ID/45421-26, dated 5th September, 1983 :—

Whether the termination of service of Shri Jai Bhagwan was justified and in order ?  
If not, to what relief is he entitled ?

2. After receipt of the order of reference, notices were issued to the parties. Both the parties appeared. But later on the management absented and as such *ex parte* proceedings order was passed against the management on 19th September, 1984.

3. The case of the workman is that he was employed with the respondent since 1st January, 1977 and that the management was piqued against him because of his union activities and as such his services were unlawfully terminated on 29th October, 1982 in complete disregard of the provisions of the Industrial Disputes Act, 1947.

4. After appearance, the workman filed claim statement, which is in consonance with the demand notice.

5. In *ex parte* evinence the workman appeared as his own witness and made a statement completely in corroboration of the allegations made in the demand notice and as such, I need not suffer repetition. I, see no reason to disbelieve the un rebutted statement of the workman and hold that the management unlawfully terminated the services of the workman without complying with the provisions of section 25.F of the Industrial Disputes Act, 1947 and as such the order of termination cannot be sustained. So, the workman is ordered to be reinstated forthwith the continuity of service and full back wages. There is no order as to cost.

Dated the 20th November, 1984.

B. P. JINDAL,

Presiding Officer,  
Labour Court, Rohtak,  
Camp Court, Bahadurgarh.

Endorsement No. \_\_\_\_\_ dated \_\_\_\_\_

Forwarded (four copies), to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,  
Presiding Officer,  
Labour Court, Rohtak.  
Camp Court, Bahadurgarh.